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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
15

16
17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 v.

20 ARIANNA ARIAS,

21 Defendant.
22

CR No.: 05-00301-MAG

23 STIPULATION AND ~~PROPOSED~~
24 ORDER EXCLUDING TIME

25 On May 26, 2005, the parties in this case appeared before the Court for an initial appearance
26 and identification of counsel. At that time, the parties stipulated that time should be excluded
27 from the Speedy Trial Act calculations from May 26, 2005 to June 9, 2005 for continuity of
28 counsel and for effective preparation of defense counsel. The parties represented that granting
the continuance was the reasonable time necessary for continuity of defense counsel and effective
preparation of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C.

Stipulation and [Proposed] Order

FILED

JUN 9 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

§ 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

KEVIN V. RYAN
United States Attorney

DATED: June 7th 05

Denee A. DiLuigi
DENEEN A. DILUIGI
Special Assistant United States Attorney

DATED: June 9th 05
CMP

Elizabeth Falk
ELIZABETH FALK
Attorney for Ms. Arias

As the Court found on May 26, 2005, and for the reasons stated above, the Court finds that an exclusion of time between May 26, 2005 and June 9, 2005 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny Ms. Arias continuity of counsel and would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: June 9, 2005

Elizabeth D. Laporte
ELIZABETH D. LAPORTE
United States Magistrate Judge